
By: **Senator Munson**
Introduced and read first time: February 18, 2004
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Drivers' Licenses - Vision Requirements**

3 FOR the purpose of repealing the termination date of a certain provision of law
4 establishing vision requirements for holders of a Class C noncommercial driver's
5 license; and generally relating to vision requirements and drivers' licenses.

6 BY repealing and reenacting, without amendments,
7 Article - Transportation
8 Section 16-110.3
9 Annotated Code of Maryland
10 (2002 Replacement Volume and 2003 Supplement)

11 BY repealing and reenacting, with amendments,
12 Chapter 346 of the Acts of the General Assembly of 1997, as amended by
13 Chapter 463 of the Acts of the General Assembly of 2002
14 Section 2

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Transportation**

18 16-110.3.

19 (a) The Administration may only issue a restricted Class C noncommercial
20 driver's license to an applicant who does not otherwise meet the vision standards
21 under § 16-110.1 of this subtitle but:

22 (1) Has simultaneously:

23 (i) A visual acuity of worse than 20/70, but no worse than 20/100,
24 in one or both eyes as determined by the Administration in consultation with the
25 Medical Advisory Board; and

1 (ii) A continuous field of vision of at least 110 degrees and with at
2 least 35 degrees lateral to the midline of each side; and

3 (2) Is recommended for consideration for licensure by the applicant's
4 licensed ophthalmologist or optometrist in accordance with subsection (b) of this
5 section and regulations of the Administration concerning limited vision licenses.

6 (b) The ophthalmologist's or optometrist's recommendation for an applicant
7 seeking a license under this section shall be based on the best standard spectacle or
8 contact lens correction in the applicant's better eye.

9 (c) (1) The Administration shall refer any application for a license under
10 this section to the Medical Advisory Board appointed under § 16-118 of this subtitle
11 for review.

12 (2) Unless the Medical Advisory Board determines that it can make a
13 favorable recommendation to the Administration based on the record before it, the
14 Board shall offer the applicant an opportunity to appear before the Board to present
15 medical information pertinent to the Board's review.

16 (3) An applicant who chooses to appear before the Medical Advisory
17 Board may be accompanied by the applicant's ophthalmologist or optometrist or by
18 any other individual to assist the applicant in presenting pertinent medical
19 information to the Board.

20 (4) An appearance before the Medical Advisory Board is not a matter
21 subject to the contested case provisions under Title 10, Subtitle 2 of the State
22 Government Article.

23 (d) (1) An applicant seeking a license under this section shall successfully
24 complete a driver's training course in accordance with regulations of the
25 Administration.

26 (2) The required driver's training course:

27 (i) Shall consist of at least 20 hours; and

28 (ii) May vary based on an applicant's previous driving experience or
29 the driver trainer's recommendation.

30 (3) If the ophthalmologist or optometrist recommends that the applicant
31 use a bioptic telescopic lens while driving, the Administration may require additional
32 driver's training using the bioptic telescopic lens.

33 (e) (1) A license granted under this section:

34 (i) Shall be endorsed "outside mirrors each side";

35 (ii) Subject to subsection (f) of this section, shall be endorsed
36 "daylight driving only"; and

1 (iii) May be subject to additional restrictions imposed by the
2 Administration, based on recommendations of the applicant's ophthalmologist or
3 optometrist, or any other evaluation that the Administration determines appropriate.

4 (2) Restrictions that may be imposed under paragraph (1)(iii) of this
5 section include:

- 6 (i) Type of highways where the licensee may drive;
- 7 (ii) Maximum speed limits under which driving is allowed;
- 8 (iii) Maximum driving distances; and
- 9 (iv) Other factors that the Administration determines appropriate.

10 (3) A license endorsed "daylight driving only" authorizes the licensee to
11 operate a motor vehicle only during the period beginning one-half hour after sunrise
12 and ending one-half hour before sunset.

13 (f) (1) An individual licensed under this section may apply to eliminate the
14 daylight only restriction if the individual:

- 15 (i) Has been licensed under this section for at least 1 year;
- 16 (ii) During the previous year, has not committed a traffic infraction
17 or been involved in a traffic accident where the licensee was at fault;
- 18 (iii) Has passed a nighttime vision test prescribed by the
19 Administration; and
- 20 (iv) Has received a driver's training certificate based on nighttime
21 driving skills, from an entity that the Administration has determined is qualified to
22 evaluate drivers under this section.

23 (2) Before the elimination of the daytime only restriction, an applicant
24 who meets the requirements of paragraph (1) of this subsection shall pass a nighttime
25 driving test administered by at least two Administration examiners.

26 **Chapter 346 of the Acts of 1997, as amended by Chapter 463 of the Acts of**
27 **2002**

28 SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
29 take effect October 1, 1997. [Section 16-110.3 of the Transportation Article, as
30 enacted by Section 1 of this Act, shall remain effective for a period of 7 years and, at
31 the end of September 30, 2004, with no further action required by the General
32 Assembly, § 16-110.3 of the Transportation Article, as enacted by Section 1 of this Act
33 shall be abrogated and of no further force and effect.]

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 July 1, 2004.

